

FILING BY "EXPRESS MAIL" UNDER 37 C.F.R. § 1.10

I hereby certify that the following correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" in an envelope addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 under Express Mail Label No. EU652383182US on the date indicated below.

- 1) Utility Patent Application Transmittal
- 2) Fee Transmittal for FY 2003 (PTO/SB/17)
- 3) Application Data Sheet (3 pages total)
- 4) Declaration and Power of Attorney for United States Patent Application (8 pages total)
- 5) Preliminary Amendment (4 pages total)
- 6) Specification (25 pages total)
- 7) Submission of Sequence Listing Including Statement of Verification
- 8) Sequence Listing (Paper) (6 pages total)
- 9) Credit Card Payment Form
- 10) Return Postcard

Melissa Hardy

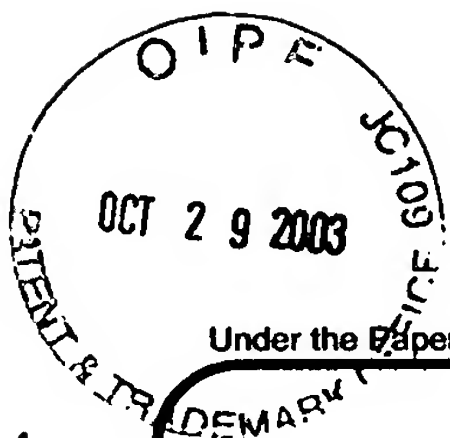
Name

Melissa Hardy

Signature

June 24, 2003

Date



TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Applicati n Number

10/602,166

Filing Date

06/24/2003

First Named Inventor

AN et al

Group Art Unit

1638

Examiner Name

TBA

Total Number of Pages in This Submission 10

Attorney Docket Number

30723USDIV1

ENCLOSURES (check all that apply)

- ☐ Fee Transmittal Form
☐ Fee Attached
☐ Amendment / Reply
☐ After Final
☐ Affidavits/declaration(s)
☐ Extension of Time Request
☐ Express Abandonment Request
☐ Information Disclosure Statement
☐ Certified Copy of Priority Document(s)
☒ Response to Missing Parts/
Incomplete Application
☒ Response to Missing Parts
under 37 CFR 1.52 or 1.53

- ☐ Assignment Papers
(for an Application)
☐ Drawing(s)
☐ Licensing-related Papers
☐ Petition
☐ Petition to Convert to a
Provisional Application
☐ Power of Attorney, Revocation
Change of Correspondence
Address
☐ Terminal Disclaimer
☐ Request for Refund
☐ CD, Number of CD(s) _____

- ☐ After Allowance Communication
to Group
☐ Appeal Communication to Board
of Appeals and Interferences
☐ Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief)
☐ Proprietary Information
☐ Status Letter
☒ Other Enclosure(s) (please
identify below):
Return Postcard, copy of express
mail certification, Copy of executed
declaration, Notice to File Missing Parts

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
or
Individual name

Randee S. Schwartz, Agent for Applicant, Registration No. 45,085

Signature

Date

10-20-03

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:

October 20, 2003

Typed or printed name

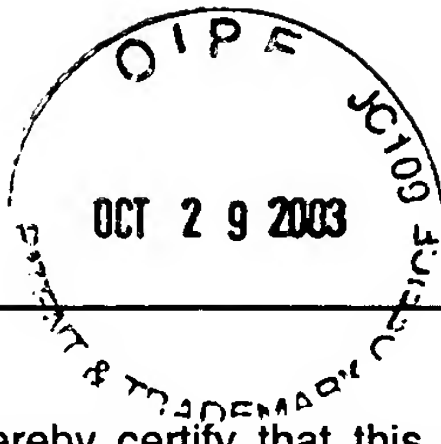
Susan D. Holder

Signature

Date

October 20, 2003

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



CASE 30723USDIV1

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Susan D. Holder
Type or print name

Susan D. Holder
Signature

Oct 22, 2003
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

ART UNIT: 1638

An *et al.*

APPLICATION NO: 10/602,166

CONFIRMATION NO: 1003

FILED: June 24, 2003

FOR: DNA Comprising Anther-Specific Gene and Transgenic Plant Transformed
Therewith

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION**

Sir:

The Notice to File Missing Parts of Nonprovisional Application Filed Under 37 CFR 1.53(b) (Filing Date Granted) was mailed on October 8, 2003 (a copy of which is enclosed) and has a shortened statutory time to reply that is set to expire on December 8, 2003.

The Notice indicates that the signature of Jong-Seong Jeon is missing from the oath or declaration.

In response, Applicants respectfully submit that two copies of the declaration were filed with the application, each copy containing 4 pages. Enclosed herewith is copy of the Express Mail Certificate that was filed with the application, which Certificate indicates as follows: "4) Declaration and Power of Attorney for United States Patent Application

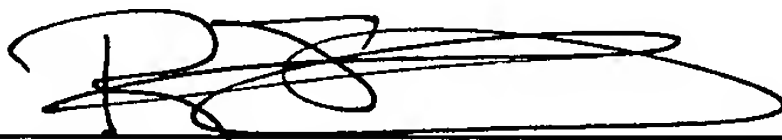
(8 pages total)". The first copy of the declaration included the signatures of inventors Gynheung An, Yong-Yoon Chung, and Sichul Lee. The second copy, which followed the first copy and preceded the Sequence Listing Statement of Verification, contained the signature of inventor Jong-Seong Jeon only.

For the convenience of the Office, another copy of the declaration with Jong-Seong Jeon's signature is enclosed.

Applicant believes that no Surcharge Fee under 37 CFR § 1.16(e) is owed, since the declarations filed with the application were signed by all of the inventors. However, the Commissioner is hereby authorized to charge any fees that may be required, or credit any overpayment, to Account No. 50-1744 in the name of Syngenta Biotechnology, Inc.

Respectfully submitted,

Syngenta Biotechnology, Inc.
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Post Office Box 12257
Research Triangle Park, NC 27709-2257
Phone: (919) 765-5098



Randee S. Schwartz
Attorney for Applicants
Reg. No. 45,085

Date: October 20, 2003